

10-06-04

RCE#/  
✓ JFW  
Attorney Docket No. 17561-069



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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number 10/044,628

Filing Date January 10, 2002

First Named Inventor J. Rapuano

Group Art Unit 1733

Examiner Name J. Goff

Attorney Docket Number 17561-069

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 377 C.F.R. § 1.114**

a. [ ] Previously submitted

i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. [ ] A verified statement claiming small entity status is on file in the prior application and such status is still proper and desired (37 C.F.R. § 1.28(a)).

b. [X] Enclosed:

i. [X] Amendment and Response to Office Action of June 21, 2004 (11 pages)

ii.  Affidavit(s)/Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv. [X] Petition for One-Month Extension of Time (1 page, in duplicate)

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. [X] The Director is hereby authorized to charge any deficiencies or credit any overpayments, to Deposit Account No. 50-0311, Reference No. 17561-069:

b. [X] Enclosed:

i. [X] Check #19433 in the amount of \$790.00 - RCE fee required under 37 C.F.R. § 1.17(e)

ii. [X] Check #19431 in the amount of \$110.00 - Petition for one-month extension of time

iii. [X]: Check #19432 in the amount of \$88.00 - One Independent Claim in excess of three

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Robert J. Sayre (Customer No. 30623)	Registration No. (Attorney/Agent)	42,124
Signature		Date	October 5, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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